

Hearing Date: March 3, 2009 at 10:00 a.m.
Objection/Response Deadline: February 24, 2009

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

In re:)	
)	
CIRCUIT CITY STORES, INC., et al.,)	Case No. 08-35653-KRH
)	Chapter 11
)	Jointly Administered
Debtors.)	

NOTICE OF MOTION AND HEARING

Holyoke Crossing Limited Partnership II ("Holyoke Crossing") has filed papers with the Court requesting the Court to allow Holyoke Crossing's administrative expense claim and order Circuit City Stores, Inc. to pay the claim. The papers are attached.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant the relief sought in the motion or if you want the court to consider your views on the motion, then on or before **five (5) business days** before the date of the hearing, you or your attorney must:

- ☒ File with the Court, at the address shown below, a written response and supporting memorandum pursuant to Local Bankruptcy Rule 9013-1(H). If you mail your response to the court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 East Broad Street
Richmond, Virginia 23219-1888

Local Counsel for Holyoke Crossing Limited Partnership II
David R. Ruby, Esquire (VSB #22703)
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11 South 12th Street
Richmond, Virginia 23219
Telephone: (804) 783-6811
Facsimile: (804) 782-2130
E-Mail: druby@mcsweeneycrump.com

☒ Mail a copy of your response and supporting memorandum to:

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McSweeney, Crump, Childress & Temple, P.C.
P. O. Box 1463 (23218)
11 South 12th Street
Richmond, Virginia 23219
Facsimile: (804) 782-2130
Email: druby@mcsweeneycrump.com
[Local Counsel for Holyoke Crossing]

You or your attorney also must:

☒ Attend a hearing on the motion scheduled to be held on **March 3, 2009 at 10:00 a.m.** at the United States Bankruptcy Court, United States Courthouse, 701 East Broad Street, Courtroom 5000, Richmond, Virginia 23219.

If you or your attorney do not take these steps, including the filing and serving of a written response and supporting memorandum within the time period and in the manner set forth above pursuant to Local Bankruptcy Rule 9013-1, the Court may deem any opposition waived, treat the motion as conceded, decide that you do not oppose the motion and issue an order granting the relief requested without further notice or hearing.

Date: February 3, 2009

Holyoke Crossing Limited Partnership II

By: /s/ David R. Ruby
Local Counsel

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Counsel for Holyoke Crossing Limited Partnership II

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of February, 2009, a true and accurate copy of the foregoing Notice was served via First Class U.S. Mail (postage prepaid), via e-mail or via the Electronic Case Filing (ECF) system, as appropriate and as indicated, on the following parties:

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/s/ David R. Ruby
David R. Ruby

[*Indicates service by ECF or e-mail. All others served by First Class U.S. Mail, postage prepaid.]